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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,773	10/19/2004	Chandrasekar Rathakrishnan	ALBAN16.001APC	6768
20995 7590 08/07/2008 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614				
EXAMINER JAKOVAC, RYAN J				
ART UNIT 2145		PAPER NUMBER		
NOTIFICATION DATE 08/07/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com  
eOAPilot@kmob.com

### Office Action Summary

**Application No.**

10/511,773

**Applicant(s)**

RATHAKRISHNAN ET AL.

**Examiner**

RYAN J. JAKOVAC

**Art Unit**

2145

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5, 21, 38-43, 46-49 and 51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5, 21, 38-43, 46-49, and 51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/888)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5, 21, 38-43, 46-49, and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 2002/0032751 to Bharadwaj in view of U.S. 6,966,034 to Narin.

Regarding claims 5 and 51, Bharadwaj teaches a system and a computer readable medium comprising a server configured to download data with constant compression rates to a user's machine to enable an HTML media file to be displayed with real-time streaming on a display device of the user's machine, the HTML media file being converted by the server from a media format to a universal media format agreed between the server and the user's machine (Bharadwaj, at least Paragraph [0061] and [00112] disclose the client receiving a HTML media file. The client is linked to the server which is connected to the web. Paragraph [0168-0169], [0828], and [00835] discloses streaming media to the client and setting of compression rates. See also, [0012], client requests. See also [0021-0023], and [0112], client and server negotiate

format.). Although Bharadwaj does disclose in [0112] client capability negotiation relating to a large number of display and input features, these features including whether the system supports color displays, input features like speech, font capabilities, image formats, multimedia support, etc, Bharadwaj does not expressly disclose wherein the server receives the resolution requirement of the display device, and wherein the server includes an HTML resizing server for resizing the HTML media file to be able to be fully displayed on the display device according to the received resolution requirement before sending the HTML media file to the user's machine, however, Narin discloses wherein the server receives the resolution requirement of the display device (Narin, col. 6, line 55 to col. 7 line 25, device resolution is sent to the server.), and wherein the server includes an HTML resizing server for resizing the HTML media file to be able to be fully displayed on the display device according to the received resolution requirement before sending the HTML media file to the user's machine (Narin, col. 10, line 50 to col. 11, line 45, server modifies the requested web page based on the received resolution of the device.).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine wherein the server receives the resolution requirement of the display device, and wherein the server includes an HTML resizing server for resizing the HTML media file to be able to be fully displayed on the display device according to the received resolution requirement before sending the HTML media file to the user's machine as taught by Narin with the system of Bharadwaj in order to be able to dynamically vary web pages provided to users based on the characteristics of a user's system (Narin, col. 10, line 1-45.)

Regarding claim 21, the combination of Bharadwaj and Narin teaches a system as claimed in claim 5, wherein passing of the HTML file and amendment on the server of code for the HTML file to enable the HTML media file to be displayed on the display device (Bharadwaj, Paragraph [0002] discloses web browsing (i.e. accessing HTML files). Paragraph [0092] discloses displaying streaming media on the client device.).

Regarding claim 38, the combination of Bharadwaj and Narin teaches a system as claimed in claim 5, wherein the resizing is by adding width and height tags to any object in the file that does not have those tags, and amending the values in the width and height tags so they can be displayed on the display device in accordance with the received resolution requirement of the display device (Bharadwaj, Paragraph [0656] discloses resizing objects according to width and height.).

Regarding claim 39, the combination of Bharadwaj and Narin teaches a system as claimed in claim 38, wherein the width tag value is divided by 800 and multiplied by a width of the received resolution (Bharadwaj, Paragraph [0656] discloses resizing objects according to width and height.).

Regarding claim 40, the combination of Bharadwaj and Narin teaches a system as claimed in claim 38 or claim 39, wherein the height tag value is divided by 600 and multiplied by a height of the received resolution (Bharadwaj, Paragraph [0656] discloses resizing objects according to width and height.).

Regarding claim 41, the combination of Bharadwaj and Narin teaches a system as claimed in claim 5, wherein the universal media format is pre-determined (Bharadwaj, Paragraph [0092] discloses displaying streaming media on the client device.).

Regarding claim 42, the combination of Bharadwaj and Narin teaches a system as claimed in claim 41, wherein the universal media format is a streaming format and has constant compression rates (Bharadwaj, Paragraph [0092] discloses displaying streaming media on the client device.).

Regarding claim 43, the combination of Bharadwaj and Narin teaches a system as claimed in claim 41, wherein the conversion to the universal media format is by first decoding and decompression of the HTML media file to raw data (Bharadwaj, Paragraph [0828], The MPEG-4 application running on the server is configured to decode and present (for display on the user's device) streaming data.).

Regarding claim 46, the combination of Bharadwaj and Narin teaches a system as claimed in claim 5, wherein a plurality of applications are executed on the server, all applications being executed on the server under a single operating system such that the data is streamed to the display device without the plurality of applications starting their native operating systems (Bharadwaj, Paragraph [0005] discloses multiple applications running on a server machine and displaying the applications on a client device.).

Regarding claim 47, the combination of Bharadwaj and Narin teaches a system as claimed in claim 5, wherein the universal media format is pre-determined (Paragraph [0092] discloses displaying streaming media on the client device.).

Regarding claim 48, the combination of Bharadwaj and Narin teaches a system as claimed in claim 5, wherein the universal media format is a streaming format and has constant compression rates (Bharadwaj, Paragraph [0092] discloses displaying streaming media on the client device. Paragraph [0168-0169], [0828], and [00835] discloses streaming media to the client and setting of compression rates).

Regarding claim 49, the combination of Bharadwaj and Narin teaches a system as claimed in claim 47, wherein the conversion to the universal media format is by first decoding and decompression of the HTML media file to raw data (Bharadwaj, Paragraph [0828], The MPEG-4 application running on the server is configured to decode and present (for display on the user's device) streaming data.).

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-59 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

/Jason D Cardone/  
Supervisory Patent Examiner, Art Unit 2145